

JUN 11 2009

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK  
BY: *H McDonald*  
DEPUTY CLERK

VINCE GILMER,  
Plaintiff,

v.

DR. ASHAN, et al.,  
Defendants.

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Civil Action No. 7:08-cv-00516

**ORDER**

By: Hon. Jackson L. Kiser  
Senior United States District Judge

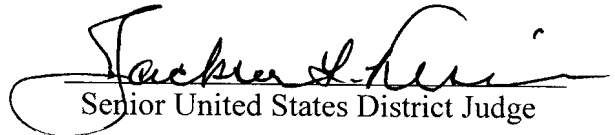
In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that the plaintiff's motion for a temporary restraining order (docket #1) is **DENIED**; the action is **DISMISSED** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 11<sup>th</sup> day of June, 2009.

  
Senior United States District Judge